COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: December 2, 2010

OFFICE CORRESPONDENCE FILE NO. SH2248403

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**
DEPUTY RAQUEL GONZALES #[redacted]
DEPUTY ARMANDO HERNANDEZ #[redacted]
DEPUTY JULIO JOVE #[redacted]
CENTURY STATION

Deputies were at the location dispersing a large "flyer party." Deputies Hernandez, Jove, Gonzalez, and three other deputies were in the rear yard of the residence. Other deputies were in the front yard. The attendees were cooperative and complying with the deputies' directions.

Deputy Hernandez decided to make contact with two male gang members nearby. He quickly began a cursory search of the first male. He saw that the other individual, Suspect Saucedo, was reaching for a gun in his waistband. Deputy Hernandez shouted "gun" to his partners. Because of several partygoers still in the immediate area, Deputy Hernandez grabbed the suspect's gun hand in order to control and disarm him. The suspect pointed the pistol over his shoulder and fired two rounds at Deputy Hernandez. Both fell to the ground as the handgun hit the concrete patio. Deputy Hernandez rolled away as the suspect retrieved the handgun and began to raise it at the deputies. Fearing for the safety of all those in the area, Deputies Hernandez, Jove, and Gonzalez each fired a volley of shots from their duty weapons, striking the suspect. The suspect then fell to the ground and dropped the pistol.

Suspect Saucedo sustained multiple gunshot wounds to the torso. He was pronounced dead at the scene.

A loaded Glock, .40 caliber pistol was recovered adjacent to the suspect's body. One expended shell casing was "stove-piped" in the slide and an additional shell casing was recovered. Suspect Saucedo's "associate" fled the scene and has not been identified

On November 10, 2010 the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; 3-01/025.30, Use of Firearms and Deadly Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MPP § 3-01/025.00, Use of Force, MPP § 3-01/025.30, Use of Firearms and Deadly Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputies Raquel Gonzales #[redacted] Armando Hernandez #[redacted] and Julio Jove #[redacted] was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by all personnel in this incident were within Department Policy.

Eric B. Smith, Commander

EBS:RSP/rsp

Table of Contents

IAB # SH 2248403

E - Photographs - Suspect (Coroner)

MISCELLANEOUS DOCUMENTS

- Involved Employee Administrative Rights Form
- Compact Disc Containing Audio Files of Homicide/Deputy Interviews
- (2) Compact Disc Containing Audio Files of Witness Interviews

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
10/22/10	FORII/CENTURY STN	☐	☒

Incident Information

URN: 009-15336-2177-013	Date: 08/07/09 Time: 2335
City or Station: Century Station	Nature of Incident: While dispersing a large party a suspect drew a weapon and fired it at deputies after deputies attempted to contact him. Deputies returned fire striking the suspect multiple times.
Location: [redacted] Waldorf Drive Lynwood, 90262	

Location Type (*circle one or more*):
- **Backyard** (circled)
- Beach
- Business
- Freeway
- Industrial
- Park
- Parking Lot
- **Residence** (circled)
- Rural
- School
- Street
- Other: ________

Lighting (*circle only one*):
- Darkness
- Daylight
- **Other** (circled)
- Street Lights

Weather (*circle only one*):
- **Clear** (circled)
- Cloudy
- Fog
- Rain

Distance: 3-5 ft

Incident Type (*circle one or more*):
- Accidental
- **Armed Person** (circled)
- Fleeing Suspect
- Foot Pursuit
- Gun Take Away
- Moving Vehicle
- Sniper/Ambush
- Startle
- **Struggle Involved** (circled)
- Traffic Stop
- Unarmed Person
- Unintentional
- Vehicle Pursuit
- Warrant Service
- Warning Shot
- Other: ________

Initiated by (*circle only one*):
- Arrest Warrant
- **Call** (circled)
- Observation
- One Person Unit
- Other
- Search Warrant
- Two Person Unit

Prior Activity (*circle only one*):
- Detective
- Inmate Transport
- **Other** (circled)
- Routine Patrol

Aero Unit? ☒ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
15	1

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Lavoie, Jr.	Robert	A.	**EM** (circled) PM Day	**Regular** (circled) Overtime Off Duty
[redacted]	[redacted]	[redacted]		[redacted]	[redacted]
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.			
Last Name: [redacted]	First Name: [redacted]	M.I.			
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: [redacted]	Home Ph: [redacted]	
Last Name: [redacted]	First Name: [redacted]	M.I.			
Street Address: [redacted]	City	Zip Code	Work Ph	Home Ph	
Last Name: [redacted]	First Name: [redacted]	M.I.			
Street Address: [redacted]	City	Zip Code	Work Ph	Home Ph	

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	O'Brien	John	P.	**On Duty** (circled); **Present during shooting** (circled); Witness to shooting; Involved in shooting
				On Duty; Present during shooting; Witness to shooting; Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Iberri	Joseph	W.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Ditch	Craig	A.

PSTD Use Only

SH # ________

Officer Involved Shooting

URN: 009-15336-2177-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
08/07/10	0155 hrs	10/22/10	

Employee #	Last Name	First Name	M.I
[redacted]	Strong	Eric	I.
[redacted]	Garcia	Benjamin	
[redacted]	Kusch	Roderick	A.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1/2/3	FH	GL	40	N	N	NN	
S#1	E#1	PO					AB	HE
E#1	S#1	FH	HK	45	Y	Y	DH	
E#2	S#1	FH	BR	9	Y	Y	DH	
E#3	S#1	FH	HK	45	Y	Y	DH	

See Front Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]			
[redacted]	[redacted]		[redacted]			
[redacted]	[redacted]		[redacted]			
[redacted]	[redacted]		[redacted]			
[redacted]	[redacted]		[redacted]			
[redacted]	[redacted]		[redacted]			
[redacted]	[redacted]		[redacted]			
[redacted]	[redacted]		[redacted]			
[redacted]	[redacted]		[redacted]			
[redacted]	[redacted]		[redacted]			
[redacted]	[redacted]		[redacted]			

Officer Involved Shooting
Involved Employee Information

URN: 009-15336-2177-013

Involved Employee

E 1

Employee # [redacted]	Last Name: Hernandez, Jr.	First Name: Armando	M.I.
Sex: M / Race: Hispanic	Rank: Deputy Sheriff	Unit Assignment: Century Station	Work Assignment (Unit #, Module, etc.): Patrol/212T2
ShiftTime (*circle only one*): EM **PM** Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: / Interviewed? ☐
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted]	Height: 5'10" / Weight: 180 lbs		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ / Number of Prior Shootings: 1 / Directed Force: [redacted]
Weapons Fired Brand: H & K USP	Caliber: .45	# Shots: 5	Weapons Fired Brand: / Caliber: / # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 2

Employee # [redacted]	Last Name: Gonzales	First Name: Raquel	M.I.
Sex: F / Race: Hispanic	Rank: Deputy Sheriff	Unit Assignment: Century Station	Work Assignment (Unit #, Module, etc.): Patrol/212E3
ShiftTime (*circle only one*): **EM** PM Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: / Interviewed? ☐
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted]	Height: 5'06" / Weight: 120 lbs		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] / Number of Prior Shootings: [redacted] / Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9mm	# Shots: 5	Weapons Fired Brand: / Caliber: / # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 3

Employee # [redacted]	Last Name: Jove	First Name: Julio	M.I.: C.
Sex: M / Race: Hispanic	Rank: Deputy Sheriff	Unit Assignment: Century Station	Work Assignment (Unit #, Module, etc.): Patrol/212F
ShiftTime (*circle only one*): **EM** PM Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: / Interviewed? ☐
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted]	Height: 5'08" / Weight: 200lbs		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ / Number of Prior Shootings: 1 / Directed Force: [redacted]
Weapons Fired Brand: H & K USP	Caliber: .45	# Shots: 5	Weapons Fired Brand: / Caliber: / # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

Officer Involved Shooting
Suspect Information

URN: 009-15336-2177-013

Suspect Information

S 1

Last Name Saucedo		First Name Guillermo	M.I.
AKA Last Name		First Name	M.I.
Sex: M Race: Hispanic	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone:	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 23 D.O.B. 04/15/86	Height: 5'07" Weight: 150lbs	FBI # [redacted]	CII # [redacted]
Booking # Deceased	Primary Charge:	Secondary Charge:	
Coroner Case? ☒	Coroner Case # 2009-05493	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☐	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substan[illegible]d:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

Investigative Summary

Incident: Hit Shooting
LASD Report: 009-15336-2177-013
IAB File: SH2248403

Opening Statement
On August 7, 2009 (Friday), Internal Affairs Bureau Lieutenant Roderick Kusch, Sergeants Eric Strong and Ben Garcia responded to [redacted] Waldorf Avenue. Century Station Deputies Raquel Gonzalez, Armando Hernandez, and Julio Jove fired rounds from their department-authorized, duty weapons at Guillermo Saucedo (striking him), after Suspect Saucedo pulled a handgun from his waistband and fired at the deputies.

Synopsis
Deputies were at the location dispersing a large "flyer party," which was attended by more than 100 partygoers. Those attending the party were charged admission and there was a live band playing. Deputies Hernandez, Jove, Gonzalez, and three other deputies were in the rear yard of the residence contacting band members and directing attendees to leave the party. Other deputies were in the front yard directing people away from the party. The attendees were cooperative and complying with the deputies' directions.

After Deputy Hernandez spoke with band members, he noticed two male gang members nearby. Deputy Hernandez decided to make contact with them. He ordered both to stop, then quickly began a cursory search of the first male. As he was doing so, he saw that the other individual, Suspect Saucedo, had a gun in his waistband and was reaching for it. Deputy Hernandez immediately shouted "gun" to his partners. Because of several partygoers still in the immediate area, Deputy Hernandez could not fire at the suspect, but grabbed the suspect's gun hand in order to control and disarm him. A short struggle ensued, during which the suspect pointed the pistol over his shoulder and fired two rounds at Deputy Hernandez. The suspect and Deputy Hernandez both fell to the ground as the handgun hit the concrete patio. Deputy Hernandez rolled away from the suspect as he retrieved the handgun and began to raise it at the deputies. Fearing for their safety, the safety of each other, and the numerous partygoers, Deputies Hernandez, Jove, and Gonzalez each fired a volley of shots from their duty weapons, striking the suspect. The suspect then fell to the ground and dropped the pistol.

Suspect Saucedo sustained multiple gunshot wounds to the torso. He was pronounced dead at the scene.

A loaded Glock, .40 caliber pistol was recovered adjacent to the suspect's body. One expended shell casing was "stove-piped" in the slide and an additional shell casing was recovered.

Deputy Hernandez sustained abrasions and bruising on his legs and knees from grabbling with the suspect on the concrete patio.

Deputies Jove and Gonzalez were uninjured.

Suspect Saucedo's "associate" fled the scene and has not been identified.

Involved Personnel
Raquel Gonzales, Deputy, #[redacted]

Work History
Date of Employment: **09/14/05**
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to Century Station: **01/25/09**
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s):

Armando Hernandez, Deputy, #[redacted]

Work History
Date of Employment: **01/15/05**
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to Century Station: **10/28/07**
Prior Shooting Incident(s): **1**
Prior Founded Force Incident(s): [redacted]

Julio Jove, Deputy, #[redacted]

Work History
Date of Employment: **09/17/00**
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to Century Station: **04/09/06**
Prior Shooting Incident(s): **1**
Prior Founded Force Incident(s): [redacted]

Suspects
Saucedo, Guillermo, DOB: 04/15/86, Male/Hispanic Black/Brown, 5'07" 150 lbs.
[redacted] (Deceased)

Sworn Witness

Deputy **Robert Lavoie, #**[redacted]
Field Operations Region II
Century Station

Deputy [redacted], #[redacted]

Civilian Witnesses:
Several civilian witnesses were identified and interviewed by Century Station personnel and Homicide Investigators. These interviews were audio recorded. Summaries of these interviews and verbatim transcripts are included in this investigative book.

Witness [redacted] was interviewed regarding her observations during this incident. Refer to Homicide Investigator's Supplemental Report for a summary of Witness [redacted] statement **(Exhibit A, page 17).**

Witness [redacted] invited Suspect Saucedo to the party. While at the party Witness [redacted] saw a deputy make contact with Suspect Saucedo. Witness [redacted] saw Suspect Saucedo retrieve a handgun from his pants and fire it at the deputy. Witness [redacted] made the statement that what happened was Suspect Saucedo's fault.

Witness [redacted] was interviewed by Homicide Investigators regarding her observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 18).**

Witness [redacted] heard gunshots, but did not see the actual shooting.

Witness [redacted] was interviewed by Homicide Investigators regarding her observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 18).**

Witness [redacted] was walking out of the party when she heard gunfire. She looked back and saw deputies firing at Suspect Saucedo.

Witness [redacted] was interviewed by Homicide Investigators regarding her observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 19).**

Witness [redacted] was walking out of the party when she heard gunfire. She looked back and saw deputies firing at Suspect Saucedo.

Witness [redacted] was interviewed by Homicide Investigators regarding her observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 19).**

Witness [redacted] did not get into the party before it was shut down, and did not see the shooting.

Witness [redacted] was interviewed by Homicide Investigators regarding her observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 19**).

Witness [redacted] did not get into the party before it was shut down, and did not see the shooting.

Witness [redacted] was interviewed by Homicide Investigators regarding her observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 19).**

Witness [redacted] said that while she was walking toward the front of the location, she heard a gunshot, and turned to see a male deputy holding on to a male suspect who was holding a gun. Witness [redacted] then saw a male deputy and a female deputy draw their weapons. Witness [redacted] then ran to the front of the location. While running she heard additional gunshots.

Witness [redacted] was interviewed by Homicide Investigators regarding her observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 20).**

Witness [redacted] did not witness the incident.

Witness [redacted] was interviewed by Homicide Investigators regarding his observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 21).**

Witness [redacted] saw Suspect Saucedo retrieve a handgun from his waistband, manipulate the slide with both hands and fire a round. Witness [redacted] saw a deputy wrestle Suspect Saucedo from behind. Witness [redacted] then ran to the rear yard and hid behind a car.

Witness [redacted] was interviewed by Homicide Investigators regarding his observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 21).**

Witness [redacted] saw a deputy and a male suspect struggling with each other. During the struggle Witness [redacted] saw the suspect fall to the ground and saw a gun fall onto the pavement near the suspect. Witness [redacted] then heard several gunshots.

Witness [redacted] was interviewed by Homicide Investigators regarding his observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 22**).

Witness [redacted] saw an altercation between a deputy and Suspect Saucedo. Witness [redacted] saw the suspect pull a handgun from his waistband and fire a round during the struggle. Witness [redacted] got scared and put his head down. He then heard several gunshots.

Witness [redacted] was interviewed by Homicide Investigators regarding his observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 23).**

Witness [redacted] saw Suspect Saucedo pull a gun from his waistband, and heard the sound of a pistol slide being manipulated. Witness [redacted] turned his head, and heard a gunshot.

Witness [redacted] was interviewed by Homicide Investigators regarding his observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 24).**

Witness [redacted] did not witness any portion of the incident.

Witness [redacted] was interviewed by Homicide Investigators regarding his observations during the incident. This interview was audio recorded and the audio recording is included in this investigation. Refer to the Supplemental Report for a summary of Witness [redacted] statement (**Exhibit A, page 24**).

Witness [redacted] did not witness any portion of the incident.

Injuries
Suspect Guillermo Saucedo - Multiple gunshot wounds to the torso and legs (Deceased).

Deputy Armando Hernandez - Contusion to his forehead, abrasions and pain to the left knee and left elbow.

Physical Evidence
For a list of physical evidence refer to Homicide Investigator's Supplemental Reports and Evidence List indicating evidence recovered during the investigation **(Exhibit A, page 8 & 31).**

For additional evidence collected and photographs taken refer to Scientific Services Bureau's Supplemental Reports indicating evidence located, sketched and photographed during this investigation **(Exhibit A, page 26, 27 and 29).**

For evidence located during the autopsy refer to the "Evidence Log" portion of he autopsy report **(Exhibit A, page 105).**

Investigators Observations
IAB Investigators observed the scene during a "walk-through" conducted by Homicide Investigators. The observations of the Investigators are detailed in Homicide's Supplemental Report **(Exhibit A, page 12).**

Weapon used by Deputies
Deputy Raquel Gonzales
Beretta 92F, 9mm handgun serial #BER[redacted]

Deputy Armando Hernandez
Heckler and Koch USP, .45 caliber handgun, serial #[redacted]

Deputy Julio Jove
Heckler and Koch USP, .45 caliber handgun, serial #[redacted]

Weapon used by Suspect
Glock 22, .40 caliber, handgun, serial #[redacted]

Property Damage
None

Criminal Investigator
Homicide Investigator, Sergeant Richard Garcia #[redacted]
Homicide Investigator, Deputy Mitch Robison, #[redacted]

Lighting and Weather Conditions
The incident occurred at approximately 2335 hours and it was dark. The area was well lit

from lighting on the house and an Aero Bureau helicopter flying above with the spot light illuminating the area.

Involved Personnel Interviews

IAB Lieutenant Roderick Kusch checked to see that Century Station Personnel, took reasonable steps to ensure that the involved deputies did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators. In addition, IAB Lieutenant Kusch checked to ensure that the deputies waited in the company of a supervisor until they provided a statement to the assigned investigators.

Homicide investigators and Internal Affairs investigators interviewed the involved and witness deputies. This is a summary based on statements given during the audio recorded interviews. For complete and detailed statements refer to the digital audio files and the verbatim transcripts, which are included in this investigative casebook.

Deputy **Julio Jove** was interviewed regarding his observations and actions during this incident. These interviews were audio recorded and the verbatim transcripts are included in this investigation. For a summary of his interview with Homicide investigators refer to the Supplemental Report **(Exhibit A, page 5)**. For the complete and detailed statements refer to the verbatim transcripts and/or digital audio files.

Deputy Jove stated that when he arrived at the call for loud music he took the handle, because he was familiar with the location and owner of the residence, as he had responded to loud party calls at this location on previous occasions (10-12 times previously).

Deputy Jove stated there was a sergeant present, sufficient deputy personnel and Aero Bureau. Prior to entering the location the involved personnel coordinated their response, and pre-planned their entry with deputies assigned specific duties and positions. Deputy Jove made contact with the owner of the residence who was cooperative, and allowed them entry into the party for the purposes of dispersing the party goers.

The coordinated plan was put into motion and the deputies entered the backyard of the location, dispersing party goers as they made their way to the back of the yard to make contact with the DJ and band in order to have the music turned off.

Deputy Jove was side by side with Deputy Gonzales, dispersing the party, when he saw Deputy Hernandez tackle a male subject. While falling to the ground, Deputy Hernandez rolled over the top of the suspect and away from the suspect. Deputy Jove saw the suspect was on his hands and knees and was pushing himself up with his right hand. Deputy Jove saw that the suspect had a handgun in his left hand and the handgun was raised up under the suspect's right armpit. Fearing for his life, the lives of fellow deputies, and the party goers, Deputy Jove fired his duty weapon approximately four times striking

the suspect. The suspect fell flat onto the ground with his hand and the handgun underneath his body. While reassessing the threat, Deputy Jove saw that the suspect continued to move. Fearing the suspect was attempting to get up and fire upon him, Deputy Jove fired another round.

Deputy Jove said the suspect stopped moving, and he yelled for the other deputies to stop firing. Deputy Jove handcuffed the suspect while other deputies covered him at gun point. Deputy Jove then checked the area for additional threats.

Deputy **Raquel Gonzales** was interviewed regarding her observations and actions during this incident. These interviews were audio recorded and the verbatim transcripts are included in this investigation. For a summary of Deputy Gonzales' interview with Homicide investigators refer to the Supplemental Report **(Exhibit A, page 4)**. For the complete and detailed statements refer to the verbatim transcripts and/or digital audio files.

Deputy Gonzales responded to a loud music call at the incident location. Upon her arrival the call was coordinated by Deputy Jove. She entered the back yard of the location with Deputies Hernandez and Jove in order to disperse the crowd and turn the music off. Shortly after the music was turned off, Deputy Gonzales heard a gunshot. Deputy Gonzales looked in the direction of the sound and saw Deputy Hernandez on the ground with a male suspect engaged in what appeared to be a fight. Deputy Gonzales saw the male suspect attempting to get up from the ground, using his right hand to push himself off the ground. Deputy Gonzales saw that the suspect had a handgun in his left hand and it was raised towards his right arm, pointing in her direction. Fearing for her life, Deputy Gonzales fired several rounds from her firearm at the suspect striking him. The suspect fell to the ground but continued to move and appeared to be trying to get up again. Deputy Gonzales fired a second volley and the suspect stopped all movement.

Deputy Gonzales said she covered the suspect at gun-point while Deputy Jove handcuffed the suspect.

Deputy **Armando Hernandez** was interviewed regarding his observations and actions during this incident. These interviews were audio recorded and the verbatim transcripts are included in this investigation. For a summary of his interview with Homicide investigators refer to the Supplemental Report **(Exhibit A, page 3)**. For the complete and detailed statements refer to the verbatim transcripts and/or digital audio files.

Deputy Hernandez said while dispersing a loud party he went to the rear of the location and asked the band and deejay to stop the music. After the music was turned off Deputy Hernandez saw two male subjects that stood out from the rest of the party goers. Deputy Hernandez observed their attire and tattoos and recognized them to be gang members. Knowing that gang members often carry weapons and their style of dress is designed to conceal those weapons, Deputy Hernandez made contact with the two subjects. As Deputy Hernandez did a cursory pat-down of the first subject, the second subject looked

at Deputy Hernandez and began to walk away.

Deputy Hernandez reached out and grabbed the subject's (Suspect Saucedo) shirt in order to make contact with him. Suspect Saucedo reached into his waistband and retrieved a handgun with his right hand. With his left hand, Suspect Saucedo manipulated the slide chambering a round into the chamber. This action happened very fast while Deputy Hernandez was in close proximity to the suspect. Deputy Hernandez' first reaction was to grab Suspect Saucedo and try to wrap the suspect's arms so that he could not extend them and fire at anyone.

Deputy Hernandez grabbed Suspect Saucedo and they both fell to the ground. Deputy Hernandez heard a gunshot very close to his head, and when they hit the ground Deputy Hernandez rolled over Suspect Saucedo's back striking the ground hard. Deputy Hernandez scooted away from the suspect, stood and fired his weapon at the suspect, who was getting to his feet with the gun in his hand.



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

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May 9, 2011

Captain David Smith
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

RE: J. S. I. D. File No. 09-0504
L.A.S.D. File No. # 009-15336-2117-013

Dear Captain Smith:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 7, 2009, fatal shooting of Guillermo Saucedo by Los Angeles County Sheriff's Department (LASD) Deputies Armando Hernandez, Raquel Gonzales and Julio Jove. We have concluded that Deputies Hernandez, Gonzales and Jove acted lawfully in self-defense and defense of others.

The following analysis is based upon investigative reports, property reports, analyzed evidence reports, and witness statements taken during the investigation by the Los Angeles County Sheriff's Department (LASD), and submitted to this office by Sergeant Richard Garcia. The District Attorney Command Center was notified of the shooting at approximately 12:35 a.m. on August 8, 2009. The District Attorney Response Team, comprised of Deputy District Attorney Christina Buckley and District Attorney Senior Investigator [redacted] responded to the location. They were given a briefing of the circumstances surrounding the shooting and a "walk-through" of the scene. Compelled statements were not considered in this analysis.

FACTUAL ANALYSIS

On August 7, 2009, LASD deputies responded to a residence on Waldorf Drive in the City of Lynwood to disperse a loud party of approximately 200 people. Deputy Julio Jove was familiar with the residence, having responded to disperse parties on previous occasions. Jove coordinated the assisting deputies and requested the assistance of a helicopter unit. After the air

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unit gave a dispersal order, Jove and seven or eight other deputies entered the rear yard of the residence to direct the guests toward the front using their flashlights. As people began to leave the rear yard, Deputy Hernandez noticed two males talking to a group of females. One of the males had a large gang tattoo on his shaved head; both were wearing their shirts over their waistbands. When Deputy Hernandez asked the males if they had any weapons, they did not reply. As Deputy Hernandez began to search one of the males, the other, Guillermo Saucedo, began to walk away. Hernandez told Saucedo to "come here" and grabbed his shirt. Saucedo turned toward Hernandez and removed a handgun from his waistband.[1] Saucedo pulled the slide back to chamber a round in the gun. Hernandez grabbed Saucedo from behind to pin Saucedo's upper arms against his body and yelled "Gun! Gun! Gun!" As Hernandez and Saucedo fell to the ground, Hernandez heard gunshots and felt the percussions near his right ear.[2] Hernandez rolled away from Saucedo and fired five rounds from his service weapon at Saucedo who was moving on the ground. Deputy Jove yelled cease fire after Saucedo stopped moving. Saucedo was handcuffed. Responding paramedics pronounced Saucedo dead at the scene.

Deputy Jove saw Hernandez tackle Saucedo while yelling "Gun!" Saucedo began to get up with a gun in his left hand. Jove fired several rounds from his service weapon at Saucedo. Seeing that Saucedo was still moving with a gun in his hand, Jove fired several more rounds at him.[3] Saucedo fell face down with his hands in front of him. Jove told the other deputies to cease fire. Jove handcuffed Saucedo and turned him on his back. Saucedo's gun was recovered near his right shoulder.

Deputy Raquel Gonzales also heard Deputy Hernandez yell "Gun!" and saw him and Saucedo on the ground. As Saucedo began to stand up, he had his right hand on the ground and a gun in his left hand. Saucedo pointed the gun at Deputy Gonzales and then at Hernandez. Gonzales fired her service weapon at Saucedo. As Saucedo continued to move on the ground, Gonzales fired a second volley of rounds at him.[4] Saucedo stopped moving and Deputy Jove yelled cease fire.

[redacted]

On August 8, 2009, at approximately 2:50 a.m., investigators interviewed [redacted] one of the party guests and a friend of Saucedo. [redacted] saw the helicopter above the location and heard the disc jockey ask everyone to leave the area. She saw a deputy try to grab Saucedo's hands from behind as Saucedo tried to walk away. As the deputy was holding one of his hands, Saucedo reached into his front pants pocket with his other hand and retrieved a dark object, which [redacted] later realized was a gun. Saucedo raised the gun along the right side of his head and pointed it towards the deputy behind him. [redacted] heard a gunshot. The deputy released Saucedo, backed away and drew his gun. Saucedo fell to the ground on his hands and knees.

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[1] Saucedo was armed with a Glock Model 22, .40 caliber S&W semiautomatic firearm.

[2] Saucedo's firearm was recovered with one expended cartridge case jammed in the slide. A second .40 caliber casing was recovered on the ground. The evidence shows that Saucedo fired two rounds.

[3] Deputy Jove fired a total of five rounds.

[4] Deputy Gonzales fired a total of five rounds.

The gun fell under him. As soon as Saucedo landed on the ground, the deputy who had tried to grab him and a female deputy began firing at him.

Other Party Guests

Five additional witnesses who had been attending the party saw Saucedo with a gun in his hand as he was contacted by the deputy. Three of these witnesses either saw or heard Saucedo chamber a round in the firearm. One of these witnesses saw Saucedo fire the gun at the deputy; another saw him fire it into the ground.

Autopsy

On August 12, 2009, Deputy Medical Examiner Ogbonna Chinwah conducted a post mortem examination on Saucedo's body and determined the cause of death to be multiple gunshot wounds. The toxicology report indicated the presence of cocaine, marijuana and alcohol in his system.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if it reasonably appears to the person claiming the right of self-defense or the defense of others that he actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. (*People v. Williams* (1977) 75 Cal.App.3d 731.)

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. (*California Criminal Jury Instructions* 3470.)

When the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. (*People v. Collins* (1961) 189 Cal. App.3d 575).

CONCLUSION

The evidence examined in this investigation shows that the involved deputies responded to a complaint of a loud party. When Deputy Hernandez contacted Saucedo, Saucedo removed a handgun from his waist area. Deputy Hernandez tried to control Saucedo's arms by grabbing Saucedo from behind to prevent him from firing the gun. Despite the efforts of Deputy Hernandez, Saucedo managed to fire twice attempting to kill Deputy Hernandez. In imminent danger of great bodily injury or death to themselves and others in the area, Deputies Hernandez, Gonzales and Jove fired their service weapons at Saucedo, killing him and ending the threat.

Given the rapidly evolving, life-threatening situation that confronted Deputies Hernandez, Gonzales and Jove, we conclude they acted lawfully in self-defense and defense of others. We are therefore closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

JASON P. LUSTIG
Deputy District Attorney
(213) 974-3888

c: Deputy Armando Hernandez #[redacted]
Deputy Raquel Gonzales #[redacted]
Deputy Julio Jove #[redacted]